

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS,
745 SECOND STREET, LA SALLE, IL.
7:00 P.M., Monday, August 3, 2015**

CALL TO ORDER

The meeting was called to order by Mayor Jeff Grove at 7:03 p.m.

PLEDGE OF ALLEGIANCE

A moment of silence was held in memory of Bobbi Ruban, longtime member of EMS in the Illinois Valley, who passed away last week.

ROLL CALL

Present- Mayor Grove, Alderman Bacidore, Alderman Demes, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

Excused Absence: None

A quorum was present.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, July 20, 2015 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Herndon and seconded by Alderman Schneider to grant the request of Ameren Illinois to break ground at 362A & 362B to install gas service. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Lavieri and seconded by Alderman Duncan to grant the request of Stan's Ice Cream for a Peddler Permit to sell pre-packaged ice cream from a truck. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Regarding the request for a Solicitor Permit from Comcast, Alderman Schneider noted that he had been contacted by several residents asking him to vote against this, but he told them he was not sure we had justification to do so. Attorney McPhedran stated that the alderman could vote against this; however legally there could be questions as Comcast has complied with the requirements outlined in our ordinance. Comcast could have a contention that they are not required to supply a bond because their franchise agreement provides indemnification for the City in regard to Comcast agents and employees. We do not get this from every entity that solicits the City. However, they chose to supply the bond anyway. Comcast has a reasonable contention and expectation to have their right to be respected just as any other entity that may petition the council. Attorney McPhedran added that from what he understands from the City Clerk that they were already granted a permit by Peru consistent with their franchise agreement. The council does not have the right, without a legitimate reason, to deny the request if the requirements in the ordinance have been met. Cities do not have the right, if people comply with their ordinances, to pick and choose who they are going to deny without legitimate reason. Attorney McPhedran added that every resident has the right to indicate that they are not interested in talking to Comcast representatives, or put a no solicitation sign on their door. There are protections for those not wanting to speak to solicitors if the solicitor is persistent and does not honor the resident's wishes. In that case, revoking the permit could potentially be justified.

Moved by Alderman Lavieri and seconded by Alderman Schneider to grant the request of Comcast for a Solicitor's Permit for employees to sell cable, internet, phone and home security products door-to-door, honoring the no solicitation signs and set solicitation hours. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept the recommendation of the Finance Committee and deny the request of O.J. Stoutner on behalf of the Oakwood Cemetery Association of La Salle for a monetary donation but continue to provide in-kind donations when feasible. Each and every alderman has a copy.

ROLL CALL: AYE: Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: None Abstain: Alderman Demes

Motion Carried 7-0

Mayor Grove thanked OJ Stoutner, Andy Bacidore, and Alderman Demes for their efforts at the cemetery.

Moved by Alderman Lavieri and seconded by Alderman Schneider to grant the request of Michelle Shea of the Illinois Valley YMCA Dolphins Swim Team to hold a Tag Day Collection on Friday, October 2 and Saturday, October 3 at the intersection of 11th and Bucklin and at area businesses. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

Moved by Alderman Demes and seconded by Alderman Bacidore to grant the request of Dan Burke for permission to block off the south side of the 500 Block of First Street on Saturday, August 22, 2015 for a Bike (Motorcycle) Show from 4 p.m. until 8 p.m. Each and every alderman has a copy.

ROLL CALL: AYE: Mayor Grove, Alderman Demes, Bacidore, Ptak, Reynolds, Schneider

NAY: Lavieri, Duncan, Herndon, Absent: None Abstain: None

Motion Carried 5-3

Moved by Alderman Bacidore and seconded by Alderman Herndon to forward the request of Robert Gray for a "Slow Children at Play" sign and an additional speed limit sign on Sterling Street just north of 11th to the Streets, Alleys and Traffic Committee.

Voice vote, all ayes. Motion carried.

Alderman Bacidore announced that the Streets, Alleys and Traffic Committee will meet at 6:45 p.m. on Monday, August 17, 2015

In addition to the consideration of Mr. Gray's request, it was requested that the Streets, Alleys and Traffic Committee consider designating the east side of La Fayette Street from the alley north of Third Street to Fourth Street a no parking area. This was recommended by the City Engineer to protect newly installed catch basins from damage from truck traffic. It was also discussed about possibly placing reflectors on the curb.

The request from George Green for a monetary donation to Crusin La Salle was passed and will be discussed at the August 17, 2015 meeting.

COMMUNICATIONS

Moved by Alderman Ptak and seconded by Alderman Lavieri to accept and place on file the Illinois Department of Revenue Report showing sales tax collected for April 2015 of \$84,938.87 and referendum approved sales tax of \$35,416.17 for a total of \$120,335.04. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

OLD BUSINESS

Moved by Alderman Herndon and seconded by Alderman Schneider to authorize, pay and place on file Pay Estimate #3 and Final to Universal Asphalt & Excavating, Inc. totaling \$13,677 for the Lincoln Avenue Sanitary Sewer Replacement project and related matters. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None Absent: None Abstain: None

Motion Carried 8-0

Alderman Herndon indicated he would like to see the alley running north and south from Lincoln to Grant grinded down as part of the road program.

Moved by Alderman Ptak and seconded by Alderman Schneider to approve and place on file Change Order No. 4 (Balancing Final) for Rotary Park Phase II totaling \$1,556.83. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None Absent: None Abstain: None

Motion Carried 8-0

Mayor Grove thanked all involved with the Wine and Art Walk held on Friday, July 31, 2015. He indicated that he had received many positive messages about the event. He thanked Toni Lucas for organizing and La Salle State Bank and the LBA for their contributions. Don Aleksy said that a total of 249 tickets were sold in advance and 99 walk up tickets were sold. The group is looking at possibly holding the event again next year of July 23, 2016.

NEW BUSINESS

Alderman Lavieri announced two events being held at the library. On Tuesday, August 4th at 6 p.m., as part of the library's WW II series, author and historian Ed Finch will present *Running Silent, Running Deep: The American Submarine War* and on Thursday, August 6th at 6 p.m. racer and NASCAR racer, Camden Murphy, will present a program entitled *NASCAR: On the Road of Glory-the Fred Lorenzen Story*. Events are free and open to the public.

Moved by Alderman Lavieri and seconded by Alderman Duncan to allow OJ Stoutner to address the council.

Voice vote, all ayes. Motion carried.

Mr. Stoutner was in attendance on behalf of State Senator Sue Rezin. He asked the alderman if they had any questions or issues to bring back to the Senator. Brief discussion followed and several concerns were expressed.

ORDINANCES AND RESOLUTIONS

There were no ordinances or resolutions.

COMMENTS

There were no comments from the public.

City Engineer Brian Brown stated that the sewer on La Fayette between Kilmer and Balbo is being worked on now and should be finished in another week and then it should take two weeks to replace the water main. Upon completion the street will be overlaid. The MFT program is set to begin later this week.

(7:30 p.m.) Moved by Alderman Lavieri and seconded by Alderman Herndon to recess regular session and enter Executive Session regarding pending and/or potential imminent litigation and related matters: Collective bargaining and related matters, acquisition and/or sale of city real estate and related matters and the employment, appointment, performance and/or compensation of non-union personnel and related matters pursuant to the Open Meetings Act including 5-ILCS 120 Section 2(c)1-3,5,6, and 11 thereof.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None Absent: None Abstain: None

Motion Carried 8-0

(8:25 p.m.) Moved by Alderman Duncan and seconded by Alderman Schneider to exit Executive Session and enter Regular Session.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: None Abstain: None

Motion Carried 8-0

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$278,305.06 (Total Payroll \$165,489.93, Bills to be Paid \$73,547.86, Total Bills Paid \$39,267.27) be accepted, paid and placed on file. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Duncan and seconded by Alderman Herndon to adjourn the meeting.

Voice vote, all ayes. Motion is carried.

ADJOURNED 8:26 p.m.



Carrie L. Brown, City Clerk